

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

FILED
JUL 13 2006
CLERK, U.S. DISTRICT COURT
BY DEPUTY CLERK
MIDLAND/ODESSA DIVISION
WESTERN DISTRICT OF TEXAS

DONNA JORDAN,
Plaintiff,

v.

ECTOR COUNTY AND
JANIS MORGAN, INDIVIDUALLY
AND IN HER OFFICIAL
CAPACITY AS ECTOR COUNTY
DISTRICT CLERK,
Defendants.

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MO-05-CV-123

JURY INTERROGATORIES

Jury Question No. 1

Do you find by a preponderance of the evidence that Donna Jordan engaged in
constitutionally protected political activity, a form of free speech, as previously defined in the
Court's instructions on the First Amendment?

Answer "Yes" or "No." Yes

If you answered "Yes" in Question No. 1, then go on to Question No. 2. If you answered
"No", then sign and date the verdict form and give a note to the courtroom security officer indicating
you have reached a verdict.

Jury Question No. 2

Did Donna Jordan prove by a preponderance of the evidence that her exercise of protected First Amendment rights was a substantial or motivating factor in Ector County and Janis Morgan's decision to discharge her from employment?

Answer "Yes" or "No." Yes

If you answered "Yes" in Question No. 2, then go on to Question No. 3. If you answered "No", then sign and date the verdict form and give a note to the courtroom security officer indicating you have reached a verdict.

Jury Question No. 3

Do you find from a preponderance of the evidence that Ector County and Janis Morgan's acts were the proximate or legal cause of the Donna Jordan's damages?

Answer "Yes" or "No." Yes

If you answered "Yes" in Question No. 3, then go on to Question No. 4. If you answered "No", then sign and date the verdict form and give a note to the courtroom security officer indicating you have reached a verdict.

Jury Question No. 4

Do you find that Ector County and Janis Morgan have shown by a preponderance of the evidence that they would have dismissed Donna Jordan for other reasons even if Mrs. Jordan had not exercised her protected speech activity?

Answer "Yes" or "No." No

If you answered "No" in Question No. 4, then go on to Question No. 5. If you answered "Yes", then sign and date the verdict form and give a note to the courtroom security officer indicating you have reached a verdict.

Jury Question No. 5

What sum of money, if any, do you find would fairly compensate Donna Jordan for the injuries suffered as a proximate result of the Ector County and Janis Morgan's wrongful conduct?

Answers in dollars and cents, if any.

a. Loss of earnings and benefits, if any, up to the date of trial.

ANSWER: \$ 25,000

b. Loss of earnings and benefits, if any, in the future.

ANSWER: \$ 39,000

Go to Question 6.

Jury Question No. 6

Do you find that Donna Jordan proved by a preponderance of the evidence that Janis Morgan acted with such malice or reckless indifference to Donna Jordan's First Amendment right that Janis Morgan should be punished by an award of punitive damages against her?

Answer "Yes" or "No." No

If you answered "Yes" in Question No. 6, then answer Question No. 7. If you answered "No", then sign and date the verdict form and give a note to the courtroom security officer indicating you have reached a verdict.

Jury Question No. 7

What amount of money, paid now in cash, has Donna Jordan established by a preponderance of the evidence to be an appropriate amount for punitive damages?

Answers in dollars and cents, if any.

The verdict must be unanimous and must be signed by the jury foreperson. Please have your foreperson sign the form below and notify the Court security officer that you have reached a verdict.

CERTIFICATE

We, the Jury, have unanimously agreed to the answers in the above questions and return such answers to the Court as our verdict.

7/13/06

DATE

JURY FOREPERSON